

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ERNESTO SIMPSON
Plaintiff

Civil Action No. 25-CV-02600

v.

HARRIS COUNTY, et al.,

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

COMES NOW, Ernesto Simpson (the “Plaintiff”), and files this voluntary dismissal without prejudice pursuant to 41(a)(1)(A), of the Federal Rule of Civil Procedure which provides that plaintiff can generally dismiss their case voluntarily, even while a motion to dismiss is pending, under certain conditions. Specifically, the rule allows a plaintiff to dismiss an action without a court order by filing a notice of dismissal before the defendant serves either an answer or a motion for summary judgment. If a motion to dismiss under Rule 12(b) has already been served, but the defendant has not yet served an answer or a motion for summary judgment, the plaintiff can still dismiss without a court order by filing a notice of dismissal within 21 days after the motion to dismiss was served. This Notice is timely as the defendants never filed an answer or motion for summary judgment and notice of dismissal within 21 days after the motion to dismiss was served on June 6, 2025. Each Party will pay their own cost.

Respectfully submitted,

By: /s/James M. Andersen

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Attorney for Ernesto Simpson

CERTIFICATE OF SERVICE

The undersigned certifies that on June 27, 2025, a copy of the foregoing Notice of Removal was served EFC- Service System on all parties of record and counsel of record.

By: /s/James M. Andersen